

105916.167US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
Robert K. O'LEARY et al. :  
Serial No. 10/732,799 : Group Art Unit: 1654  
Filed: December 11, 2003 : Examiner: To be assigned  
For: APPARATUS FOR DEMINERALIZING OSTEOINDUCTIVE BONE

**PROOF OF PERTINENT FACTS IN SUPPORT OF  
PETITION UNDER 37 CFR §1.47(a)**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

I hereby submit this proof of pertinent facts pursuant to 37 CFR §1.47(a) that one inventor of the referenced application, Debra Moore-Smith, cannot be found or reached after diligent effort to sign a declaration of inventorship. Upon information and belief, the following facts of Ms. Moore-Smith's inability to be found or reached are as follows:

1. On June 18, 2004, a letter was sent via certified mail to Debra Moore-Smith from Stephanie R. Geis, paralegal for Wilmer Cutler Pickering Hale and Dorr, enclosing Declaration/Power of Attorney and Assignment documents for Ms. Moore-Smith's immediate execution and return to our offices. A copy of the letter is provided as Exhibit A.
2. The certified letter to Ms. Moore-Smith was returned as undeliverable to our offices. A copy of the returned mail envelope is provided as Exhibit B.

Based upon the above facts, Debra Moore-Smith cannot be found or reached to sign a declaration of inventorship despite our diligent effort to locate her. Acceptance of the present

application under 37 C.F.R. Section 1.47(a) and 37 C.F.R. Sections 1.63-1.64 is respectfully requested.

The last known address of Ms. Moore-Smith is:

Debra Moore-Smith  
4517 Miarfield Arc  
Chesapeake, VA 23321

I hereby declare that the above facts are to the best knowledge of the undersigned.

Respectfully submitted,

Wilmer Cutler Pickering Hale and Dorr LLP



Belinda M. Lew, Ph.D.  
Registration No. 53,212

The Willard Office Building  
1455 Pennsylvania Avenue, NW  
Washington, DC 20004  
202 942 8452

Date: AUGUST 17, 2004

WILMER CUTLER PICKERING  
HALE AND DORR



June 18, 2004

**VIA CERTIFIED MAIL**

Debra Moore-Smith  
4517 Miarfield Arc  
Chesapeake, Virginia 23321

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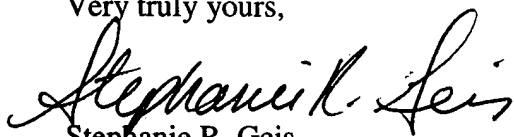
Re: U.S. Patent Application No. 10/732,799  
For: APPARATUS FOR DEMINERALIZING OSTEOINDUCTIVE BONE  
Our Reference: 105916.167US1

Dear Ms. Moore-Smith:

Enclosed please find Declaration/Power of Attorney and Assignment documents for the above-referenced application. Please execute and return them to our office as soon as possible.

If you have any questions, please feel free to contact us.

Very truly yours,

  
Stephanie R. Geis  
Paralegal

202-942-8527  
stephanie.geis@wilmerhale.com

**Enclosures**

cc: Lloyd Wolfenbarger, Jr., Ph.D. (w/o enclosures)  
Henry N. Wixon, Esq. (w/o enclosures)  
Maria L. Maebius, Esq. (w/o enclosures)